

LAKE COUNTY COMMISSIONERS' MEETING MINUTES

DANIEL P. TROY, PRESIDENT JASON W. BOYD, ADMINISTRATOR
KEVIN D. MALECEK, COMMISSIONER LEGAL COUNSEL
JUDY MORAN, COMMISSIONER MIKE MATAS, BUDGET DIRECTOR
JENNIFER BELL, CLERK NEWS MEDIA

(Tape 2015-1013)

CALL TO ORDER: Commissioner Troy called the meeting to order at 2:27 p.m., October 13, 2015.

ROLL CALL: Upon the roll being called, all were present.

APPROVAL OF MINUTES: Upon a motion by Commissioner Moran, seconded by Commissioner Troy, the minutes of the regular meeting of October 8, 2015, were approved as follows:

"AYES": Commissioners: Troy and Moran "NAYS": None "ABSTAIN": Commissioner Malecek

OPEN TO THE PUBLIC: Commissioner Troy asked if anyone in the audience wished to address the Board. Commissioner Troy welcomed representatives from AWT, Alliance for Working Together, to present them with a resolution proclaiming "Manufacturing Month" in October for Lake County. Mr. Roger Sustar, Ms. Alyson Scott and Toni Noday-Krager accepted the resolution. Commissioner Troy read the resolution in its entirety. Commissioner Malecek stated that the idea is to make the next generation of the workforce aware of the opportunities available in the manufacturing sector that helps to support retailers and professional services. He is happy to support their efforts and to attend the Round Table discussion. Commission Malecek stated that there is a Manufacturing Roundtable Summit scheduled for October 26, 2015. Commissioner Moran stated that she looks forward to working with them and the Roundtable Summit and she is happy to see how things have progressed in the industry. Commissioner Troy stated that manufacturing is important to Lake County because there are 650 companies located in our area. This is an important component of our educational process and he goes way back working with the Ohio Manufacturer's Association in the Legislature on Ohio's tangible personal property tax on machinery and equipment and inventory that eventually was phased out, and it took away a roadblock that was inhibiting manufacturing in the State.

Ms. Brenda Spadaro, 7612 Lake Shore Blvd., asked when a decision will be made pertaining to the vacation of a portion of Dock Road? She has been asked to keep people updated. Commissioner Troy stated that the Board is still accepting comments from the public and noted that she will be notified once a decision has been reached as will all the interested parties. He did not think it will take place in the next few weeks. Until that time Dock Road is not vacated and it is available to the public. Ms. Spadaro stated that there are concerned citizens who are eager to volunteer to clean up the northern terminus of Dock Road and make it a positive enhancement to the area. She also found a sign indicating that this area was once a joint project between the Nature Conservancy and the Lake County Commissioners and she is currently researching the history of the project.

RESOLUTIONS:

1. RESOLUTION AUTHORIZING THE LAKE COUNTY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S), AND TO EXECUTE AN OPWC AGREEMENT FOR AUBURN AND HARDY ROADS RESURFACING AND SAFETY IMPROVEMENT PROJECT IN CONCORD AND PAINESVILLE TOWNSHIPS(20151013\E01)(E-3)

On a motion of Commissioner Moran, seconded by Commissioner Malecek. Commissioner Troy stated that this project is off an approved list by the OPWC District Integrating Committee and in order to follow through a formal application has to be submitted. The project has been cleared for funding. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

2. RESOLUTION TRANSFERRING APPROPRIATIONS FROM LCDU WATER DISTRICT HOSPITALIZATION TO LCDU WATER DISTRICT MATERIALS & SUPPLIES(20151013\U01)(UT-2)

On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

3. RESOLUTION AUTHORIZING THE LAKE COUNTY SANITARY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED FOR DEERFIELD RELIEF SANITARY SEWER PROJECT NO. 366-S IN PAINESVILLE TOWNSHIP(20151013\U02)(UT-4)

On a motion of Commissioner Moran, seconded by Commissioner Malecek. Commissioner Troy stated this resolution and the next one are similar in the fact that both have been approved by the District Integrating Committee and formal applications have to be submitted by a certain date in order to receive the funding. The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

4. RESOLUTION AUTHORIZING THE LAKE COUNTY SANITARY ENGINEER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED FOR NAN LINN RD WATERLINE REPLACEMENT PROJECT 373-W IN THE CITY OF WILLOUGHBY(20151013\U03)(UT-4)

On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

5. **RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$6,435.00 FOR SANITARY SEWERS FOR ACE'S PARADISE SUBDIVISION IN THE CITY OF MENTOR (JOB NO. 15-39)(20151013\U04)(UT-9)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

6. **RESOLUTION APPROVING PLANS, SPECIFICATIONS AND ESTIMATES OF COST IN THE AMOUNT OF \$79,677.40 FOR SANITARY SEWERS FOR NORTH RIDGE ROAD SANITARY EXTENSION IN MADISON TOWNSHIP (JOB NO. 15-13)(20151013\U05)(UT-9)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

7. **RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, OHIO, URGING SUPPORT FOR STATE ISSUE 1, WHICH CREATES A BIPARTISAN, PUBLIC PROCESS FOR DRAWING LEGISLATIVE DISTRICTS(20151013\C01)(C-107)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy stated that this resolution and the next two are indications of the Commissioners positions on the three State Issues that will be on the ballot in November. This resolution supports State Issue 1 and reflects the same action taken by the CCAO and creates an improved reformed bipartisan process for drawing state legislative districts, which are currently drawn by the Apportionment Board. This creates an improved process and it is supported by both Democrats and Republicans, businesses and labor groups. The Commissioners ask Lake County citizens to approve this issue.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

8. **RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, OHIO, URGING SUPPORT FOR STATE ISSUE 2, WHICH PROTECTS THE INITIATIVE PROCESS FROM BEING USED FOR PERSONAL ECONOMIC BENEFIT BY ADOPTING AN ANTI-MONOPOLY AMENDMENT TO THE OHIO CONSTITUTION(20151013\C02)(C-107)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy that this resolution reflects the position taken by CCAO last month. There has been a tendency for parts of the Ohio Constitution to be purchased, and Issue 3 is a constitutional amendment that requires a vote by the people even to change one word. The Constitution of the State are the rules by which we make the rules and it should not have policy preferences and passing Issue 2 would help guard against that from happening.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

9. **RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, OHIO, OPPOSING STATE ISSUE 3, WHICH GRANTS A MONOPOLY FOR THE COMMERCIAL PRODUCTION AND SALE OF MARIJUANA FOR RECREATIONAL AND MEDICINAL PURPOSES(20151013\C03)(C-107)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy stated that there are many business and labor groups opposing Issue 3, and we all know there is an issue with substance abuse. This measure is an initiative petition that was put on the ballot by the proponents who will control the 10 growing areas in the State of Ohio, and it creates a monopoly for what many people believe is a questionable commodity to begin with and it is not a fair game. Even if you are strongly in support of legalizing recreation marijuana it is not a fair game.

Commissioner Moran stated that the Police Chief's Association and the Fraternal Order of Police are also against the issue. She stated that she heard there is another initiative coming up for the 2016 ballot.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

10. **RESOLUTION TO JOIN WITH THE LAKE COUNTY PROSECUTING ATTORNEY TO APPLY TO THE LAKE COUNTY COURT OF COMMON PLEAS, PURSUANT TO R.C. 305.14(A), TO EMPLOY AND COMPENSATE LEGAL COUNSEL TO ASSIST THE BOARD OF LAKE COUNTY COMMISSIONERS AND THE LAKE COUNTY ENGINEER IN LITIGATION ARISING OUT OF THE VROOMAN ROAD BRIDGE PROJECT, KNOWN AS THE RUHLIN COMPANY V. BOARD OF COUNTY COMMISSIONERS, CASE NO. 15CV001600 AND TO PROSECUTE, DEFEND AND REPRESENT THE BOARD AND ENGINEER IN ALL ANCILLARY MATTERS AND APPEALS(20151013\C04)(E-20-a)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek.

Commissioner Troy stated that this is to make sure that the County is represented properly. It was determined after discussion with the Prosecutor's Office and the Engineer's Office that we may not have the expertise in-house to deal with these type of matters, and we need to make sure there is competent counsel in place to represent the County.

The foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

11. **RESOLUTION APPROVING PAYMENT OF BILLS AS LISTED ON THE COMMISSIONERS' APPROVAL JOURNAL IN THE AMOUNT OF \$794,210.15(20151013\BC01)(C-4)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

12. **RESOLUTION APPROVING PURCHASE ORDERS AS LISTED ON THE COMMISSIONERS' PURCHASE ORDER APPROVAL JOURNAL IN THE AMOUNT OF \$152,196.81(20151013\BC02)(C-17)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

13. **RESOLUTION INCREASING APPROPRIATIONS FOR VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20151013\BC03)(C-111)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

14. **RESOLUTION TRANSFERRING APPROPRIATIONS WITHIN VARIOUS GENERAL AND NON-GENERAL FUND ACCOUNTS(20151013\BC04)(C-111)**

On a motion of Commissioner Moran, seconded by Commissioner Malecek, the foregoing resolution was adopted with the vote as follows: "AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

DEPARTMENTAL REPORTS:

UTILITIES - none

JOB AND FAMILY SERVICES - none

COUNTY ADMINISTRATOR - none

FINANCE - none

CLERK - none

LEGAL - none

OLD BUSINESS: - none

NEW BUSINESS: - none

PUBLIC COMMENT:

Commissioner Troy asked if anyone in the audience wished to address the Board. No one present wished to address the Board at this time.

Commissioner Troy stated that the next regular Commissioners Meeting will be held on Thursday, October 22, 2015 at 10:00 a.m.

EXECUTIVE SESSION:

- Personnel - employment

EXECUTIVE SESSION: On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board convened an Executive Session at 2:54 p.m. to discuss personnel matters related to employment with the vote as follows:

"AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

The Lake County Board of Commissioners recessed Executive Session at 2:55 p.m.

The Lake County Board of Commissioners reconvened Executive Session at 2:56 p.m.

On a motion of Commissioner Moran seconded by Commissioner Malecek, the Board returned to open session at 3:42 p.m., with the vote as follows:

"AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

ADJOURN: On a motion of Commissioner Moran, seconded by Commissioner Malecek, the Board adjourned the meeting at 3:44 p.m., with the vote as follows:

"AYES": Commissioners: Troy, Malecek and Moran "NAYS": None

Minutes approved this twenty-second day of October, 2015.

BOARD OF LAKE COUNTY COMMISSIONERS

DANIEL P. TROY, PRESIDENT

KEVIN D. MALECEK

JUDY MORAN, COMMISSIONER

JENNIFER BELL, CLERK